

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 12-802V

Filed: April 22, 2016

STEPHANIE PALMER,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

UNPUBLISHED

Special Master Hamilton-Fieldman

Attorneys' Fees and Costs;
Reasonable Amount Requested
to which Respondent Does Not
Object.

John Arthur Bush, Comstock & Bush, Boise, ID, for Petitioner.

Claudia Barnes Gangi, United States Department of Justice, Washington, DC, for Respondent.

DECISION¹

On November 20, 2012, Stephanie Palmer ("Petitioner") filed a petition pursuant to the National Vaccine Injury Compensation Program.² Petitioner alleged that the administration of the Influenza Vaccine caused her to develop Guillan-Barré Syndrome. On October 28, 2015, the undersigned issued a decision awarding compensation to Petitioner.

On April 19, 2016, Petitioner filed an application for attorneys' fees and costs. Petitioner requests compensation for \$16,050.00 in attorneys' fees and \$2,312.71 in costs (of which Petitioner bore none); in total, Petitioner requests compensation in the amount of \$18,362.71. See Aff. Supp. Fees & Costs at 2, ECF No. 52-1.

On April 22, 2016, Respondent filed a response to Petitioner's application, noting that

¹ Because this decision contains a reasoned explanation for the undersigned's action in this case, the undersigned intends to post this ruling on the website of the United States Court of Federal Claims, in accordance with the purposes espoused in the E-Government Act of 2002. See 44 U.S.C. § 3501 (2012). Each party has 14 days within which to request redaction "of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b).

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 to -34 (2012).

she “does not object to the overall amount sought, as it is not an unreasonable amount to have been incurred for proceedings in this case to date.” Resp. Mot. Fees & Costs, ECF No. 53.

In accordance with the Vaccine Act, see 42 U.S.C. § 300aa-15(e) (2012), the undersigned finds that Petitioner’s request for fees and costs is reasonable.

Accordingly, the undersigned hereby awards the amount of \$18,362.71, in the form of a check made payable jointly to Petitioner and Petitioner’s counsel, John Arthur Bush.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court shall enter judgment in accordance herewith.³

IT IS SO ORDERED.

/s/Lisa D. Hamilton-Fieldman
Lisa D. Hamilton-Fieldman
Special Master

³ Entry of judgment can be expedited by each party’s filing of a notice renouncing the right to seek review. Vaccine Rule 11(a).